

### REMARKS

Applicants note with appreciation the indication that claims 33 and 34 are allowable and that claims 1 and 8-22 are allowable if amended to delete allegedly non-elected subject matter. Applicants submit that claim 7 is pending and should be allowable if amended to delete allegedly non-elected subject matter. Applicants submit that claims 1 and 7-22 have been properly amended and are now in condition for allowance.

Applicants acknowledge with appreciation the Examiners expanded examination of compounds of Formula I to include those where  $G = G2$  or  $G3$ .

With this paper, as detailed further below, applicants request rejoinder of claims 23-32 and 35, which depend from allowable claims and are also allowable.

#### Claims Amendments

Applicants maintain that the restriction requirement in the present application is improper and should be withdrawn. However, in order to facilitate prosecution, applicants have cancelled subject matter that has been deemed drawn to a second invention and amended the claims to be limited to the subject matter previously examined and deemed allowable. Claim 15 has also been amended from the prior response by changing a reference in the definition of  $R^{14}$  from " $R^{13}$ " to " $R^3$ ". This is consistent with the application as filed. Claim 16 has also been amended to change " $-OC(O)N(R^{11})_2$ " to " $-OC(O)N(R^{10})_2$ ." Applicants note that reference to  $R^{11}$  was inserted in a typographical error that appeared in the prior amendment, and that the originally filed claims refer to  $R^{10}$ . Attention is drawn to the misprint in the published application that refers to  $R^{11}$ . The definition of  $R^{11}$  in claims 15, 16, 18 and 19 has been deleted. Claims 15 and 18 have been amended to be consistent with claim 1 and the restriction requirement

According to the Office Action, prior to the present amendment, the claims were drawn to more than one invention. The amendment is filed to be consistent with what is regarded as a single invention. As this amendment is made for formal purposes and not for reasons of patentability, the amendment is non-limiting.

Applicants do not concede that the cancelled subject matter is unpatentable on any grounds, including those previously asserted, and specifically reserve the right to file one or

more divisional applications directed to the canceled subject matter, including the previously canceled subject matter.

Request for Rejoinder

Applicants respectfully request rejoinder of withdrawn method claims 23-32 and 35. As set forth in MPEP § 821.04 (b),

if applicant elects a claim(s) directed to a product which is subsequently found allowable, withdrawn process claims which depend from or otherwise require all the limitations of an allowable product claim will be considered for rejoinder. All claims directed to a nonelected process invention must depend from or otherwise require all the limitations of an allowable product claim for that process invention to be rejoined. Upon rejoinder of claims directed to a previously nonelected process invention, the restriction requirement between the elected product and rejoined process(es) will be withdrawn.

Claims 23-32 and 35 all depend from allowable composition claims and rejoinder is proper.

Accordingly, applicants request rejoinder of claims 23-32 and 35 and an indication that these claims are allowable.


**CONCLUSION**

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Accordingly, Applicant requests that the Examiner issue a Notice of Allowance indicating the allowability of claims 1 and 7-35 and that the application be passed to issue.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Respectfully submitted,

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